Canadian Human Rights Tribunal

2014–15

Departmental Performance Report

Original Signed By:

The Honourable Jody Wilson-Raybould, P.C., M.P. Minister of Justice and Attorney General of Canada

© Her Majesty the Queen in Right of Canada,
represented by the President of the Treasury Board, 2015

This document is available on the Canadian Human Rights Tribunal website.

This document is available in alternative formats upon request.

Table of Contents

Chairperson's Message 1

Section I: Organizational Expenditure Overview 2

- Organizational Profile 2
- Organizational Context 3
- Unpredictable caseload 9
- Adequate resources to conduct timely mediations/hearings 9
- Corporate Management 10
- Actual Expenditures 10
- Alignment of Spending With the Whole-of-Government Framework 11
- Departmental Spending Trend 12
- Expenditures by Vote 13

Section II: Analysis of Program by Strategic Outcome 15

- Strategic Outcome 15
- Program 1.1: 15
- Internal Services 19

Section III: Supplementary Information 23

- Financial Statements Highlights 23
- Financial Statements 24
- Supplementary Information Tables 24
- Tax Expenditures and Evaluations 24

Section IV: Organizational Contact Information 25

Appendix: Definitions 27

Endnotes 29

Chairperson's Message

I am pleased to present the Departmental Performance Report for the Canadian Human Rights Tribunal (CHRT), which covers the period from April 1 to October 31, 2014.

On November 1, 2014, the *Administrative Tribunals Support Service of Canada Act* (ATSSCA) came into force, consolidating all support services for 11 administrative tribunals, including the CHRT, into a new organization—the Administrative Tribunals Support Service of Canada (ATSSC). The ATSSC provides corporate services (i.e., the common functions of human resources, information technology, financial services, accommodations and communications); registry services; and core mandate services (i.e., research, analysis and legal and other case- specific work). The ATSSC assumed the CHRT's financial and human resources through that legislative change. As such, some commitments and performance targets outlined in the CHRT's 2014-15 Report on Plans and Priorities may have changed. For information on the ATSSC's performance in supporting the CHRT, please visit the ATSSC website[i]. This administrative change did not affect the powers, duties, functions and mandate of the CHRT. The Tribunal maintains its separate identity. The Chairperson of the CHRT continues to have supervision over and direction of the work of the Tribunal. Discrimination complaints continue to be referred from the Canadian Human Rights Commission to the CHRT, where they are managed, adjudicated or otherwise resolved in accordance with existing CHRT procedures.

As the newly appointed Chairperson of the CHRT, my seven-year term commenced on September 2, 2014 – two months prior to the end of the reporting period under review. We are indebted to the Vice-Chair, Mr. Susheel Gupta, in his capacity as the Acting Chairperson for two years before my appointment, and to Tribunal Members and the CHRT staff for the results accomplished over the seven-month period.

Overall, mediation and pre-hearing case management conference calls with parties involved in a complaint remained our most effective internal tools to support our plans and priorities for effective and efficient access to justice.

I look forward to working with all ATSSC staff, who remain dedicated to the CHRT Secretariat, as we begin a new chapter in partnering with ATSSC to support our continued priority of providing direction and clarity to all Canadians in matters pertaining to the Canadian Human Rights Act.

Original Signed By:
David L. Thomas
Chairperson and Chief Executive Officer

Section I: Organizational Expenditure Overview

Organizational Profile

Minister: The Honourable Jody Wilson-Raybould, P.C., M.P.,
Minister of Justice and Attorney General of Canada

Institutional Head: David L. Thomas, Chairperson and Chief Executive Officer

Ministerial Portfolio: Department of Justice

Enabling Instrument(s): *Canadian Human Rights Act*[ii], R.S.C. 1985, c. H-6v
Employment Equity Act[iii], S.C. 1995, c. 44vi

Year of Incorporation / Commencement: 1998

Organizational Context

Raison d'être

The Canadian Human Rights Tribunal is a quasi-judicial body that hears complaints of discrimination referred by the Canadian Human Rights Commission, and determines whether a discriminatory practice has occurred within the meaning of the *Canadian Human Rights Act* (CHRA). The purpose of the CHRA is to promote equal opportunity through the prevention and eradication of prohibited discrimination. The Tribunal also has an adjudicative role under the *Employment Equity Act* (EEA), the purpose of which is to achieve equality in the workplace so that no person shall be denied employment opportunities or benefits for reasons unrelated to ability.

Responsibilities

The CHRA empowers the Tribunal to issue remedial orders against anyone found to have engaged in a discriminatory practice based on one or more of the following grounds:

- race;
- national or ethnic origin;
- colour;
- religion;
- age;
- sex (includes pay equity, pregnancy, childbirth and harassment, although harassment can apply to all grounds);
- marital status;
- family status;
- sexual orientation;
- disability (can be mental or physical, and includes disfigurement and past, existing or perceived alcohol or drug dependence);
- conviction for which a pardon has been granted or in respect of which a record suspension has been ordered.

The Tribunal's jurisdiction covers employment — as well as the provision of goods, services, facilities and accommodation — where these activities fall within the legislative authority of the Parliament of Canada. Federally regulated entities include federal government departments and agencies, as well as banks, airlines, telecommunications firms, broadcasters, and companies engaged in interprovincial transportation. The Tribunal holds public hearings to inquire into complaints of discrimination. Based on evidence, argument and the law (often conflicting and complex), it determines whether a discriminatory practice has occurred. If it makes a finding of discrimination, the Tribunal determines the appropriate remedy to compensate the victim of the discriminatory

practice, and it may also order policy adjustments necessary to prevent future discrimination.

The role of the Tribunal is to provide both parties to a complaint a full and ample opportunity to be heard in accordance with the fairness principles of natural justice. The Tribunal analyzes the parties' positions against the evidence presented and the governing legal principles, and determines if prohibited discrimination occurred.

The Tribunal may inquire only into complaints under the CHRA that are referred to it by the Canadian Human Rights Commission after a full investigation by the Commission. The Commission receives all complaints in the first instance and determines if they are valid. Most complaints are resolved without the Tribunal's intervention. Cases referred to the Tribunal generally involve complicated legal issues, new human rights issues, unexplored areas of discrimination, or multi-faceted evidentiary complaints that must be heard under oath, especially in cases with conflicting evidence that involve issues of credibility.

The Tribunal is not an advocate for the principles of the CHRA; that is the role of the Commission. The Tribunal has a statutory mandate to apply the Act based solely on the evidence and legal argument presented by the parties to a given case. If there is insufficient evidence to support the allegations in a complaint, then the Tribunal must dismiss the complaint.

Strategic Outcome and Program Alignment Architecture

1. **Strategic Outcome:** Effective resolution of human rights complaints in federally regulated sectors under the *Canadian Human Rights Act* and of applications under the *Employment Equity Act*.

1.1 Program: Hearing and mediation of complaints before the Tribunal

Internal Services

Organizational Priorities

Priority	Type[1]	Strategic Outcome
Encourage and support parties in pursuing voluntary mediation activities	Ongoing	Effective resolution of human rights complaints in federally regulated sectors under the CHRA and of applications under the EEA.
Summary of Progress		
The Tribunal continued implementation of the expedited complaints resolution process with a focus on mediation activities. From April 1 to October 31, 2014, the Tribunal conducted a total of 34 mediations, 16 or 47% of which were settled. (Note that by fiscal year-end, the rate of success accelerated whereby a total of 54 mediations were held and resulted in 44 settlements or an 81.5% settlement rate.)		
Priority	**Type**	**Strategic Outcome**
Conduct hearings efficiently and issue decisions on a timely basis	Ongoing	Effective resolution of human rights complaints in federally regulated sectors under the CHRA and of applications under the EEA.
Summary of Progress		
The Tribunal continued implementation of the expedited complaints resolution process, using prehearing conferences to narrow issues and improve common understandings. A total of 98 case management conference calls (CMCC) were held between April 1 and October 31, 2014. These addressed issues concerning the exchange of mediation briefs and ensured that parties share a common understanding around disclosure, confidentiality, or other preliminary issues and ultimately accounted for a reduction of 77 hearing days. (Note that by fiscal year-end, a total of 147 CMCCs were held). In a handful of cases, the offer to pursue a mediation-adjudication process with represented parties was proposed to support a more expeditious inquiry process. Full and part-time Members were offered training opportunities at the Annual Members' Meeting in October 2014 to enhance their appreciation of issues unique to Aboriginal parties and to assist them in dealing with unrepresented parties, issues related to mental health, and		

1. Type is defined as follows: previously committed to—committed to in the first or second fiscal year prior to the subject year of the report; ongoing—committed to at least three fiscal years prior to the subject year of the report; and new—newly committed to in the reporting year of the Report on Plans and Priorities or the Departmental Performance Report.

gender identity discrimination as these areas are becoming increasingly relevant to ensuring efficient and effective proceedings.

Full-time Members attended additional training to update their knowledge of Administrative Law and alternative approaches to mediation.

Priority	Type	Strategic Outcome
Continually improve case management procedures to enable effective and efficient program delivery	Ongoing	Effective resolution of human rights complaints in federally regulated sectors under the CHRA and of applications under the EEA.

Summary of Progress

A new *Guide To Understanding The Canadian Human Rights Tribunal*[iv] designed to provide parties with a better understanding of the Tribunal's mandate, procedures and processes, and support a more efficient hearing proceedings and mediations was reviewed and updated. Consultations on the final draft were held in October 2014 with Members and a final version was posted on the web by March 2015.

Review of case management processes to better meet deadlines and maintain quality standards was undertaken and resulted in some changes to standard letters and forms. Periodic review is continuing to ensure that the organization is poised to adapt to changes in legislation, procedures and performance management.

Update of the registry manual to reflect process changes to ensure consistency and sustainability in service delivery was initiated. This review continues as part of an ongoing change management plan.

The priority to explore best practices from other federal and provincial tribunals across the country and consider changes to make CHRT procedures more efficient was overtaken by significant effort dedicated to the transition to ATSSC. However, some research and informal contact with a few provincial representatives were initiated and a plan for a formal meeting with provincial partners in the sphere of human rights adjudication is under consideration.

Priority	Type	Strategic Outcome
Continue to strengthen and promote management excellence, effectiveness and compliance with government-wide initiatives and accountabilities	Ongoing	Effective resolution of human rights complaints in federally regulated sectors under the CHRA and of applications under the EEA.

Summary of Progress

Following the Government's announcement on March 28, 2014 of its intention to consolidate the services of eleven tribunals, including the CHRT, and create the Administrative Tribunals Support Service of Canada (ATSSC), a new single organization designed to strengthen the capacity to support the Tribunals' needs and improve efficiencies, the Tribunal was obliged to reconsider the following priorities:

- Ensure that the Tribunal has management goals that are measurable and achievable and that support government priorities.

- Manage the implementation of a multiyear integrated human resources and business plan and develop a corporate risk profile to ensure the integration of risk management strategies into the Tribunal's planning and decision-making processes.
- Continue to explore horizontal opportunities and collaborative partnerships when appropriate to deliver affordable, effective and efficient internal services that comply with and support government- wide strategic directions.
- Pursue Public Service Renewal through a human resources excellence agenda focused on engaging employees, ensuring that public service values are embedded in the Tribunal culture, renewing the workplace and investing in its work force.

More significantly, the CHRT re-aligned its efforts in support of the government's renewal priority, tabled in Parliament as part of the Economic Action Plan 2014, and refocused its integrated Human Resources/Business plan by engaging staff in the transition and by contributing to a number of working groups to ensure a seamless transition to the ATSSC while maintaining uninterrupted service to Canadians.

Risk Analysis

Key Risks

Risk	Risk Response Strategy	Link to Program Alignment Architecture
Unpredictable caseload	• Continued to closely monitor the intake of complaints as a result of existing and anticipated legislative changes and assess how it affects the workload. • Pursued proactive case management and managed case assignment in line with available resources. • Updated and published the participants' *Guide to Understanding the Canadian Human Rights Tribunal*.	All three risks noted here relate to the Tribunal's sole Strategic Outcome and its enabling internal services: Effective resolution of human rights complaints in federally regulated sectors under the CHRA and of applications under the EEA.
Adequate resources to conduct timely mediations/hearings	• Continued to encourage resolution of complaints through mediated approaches, review of case management processes and update of the registry manuals. • Provided training to full- and part-time Members to provide them with necessary tools to pursue effective, efficient and fair hearings.	
Corporate management	• Assessed competing demands, accepted risks and reallocated resources internally.	

Risk Narrative

Unpredictable caseload

The Tribunal has no control over those complaints made by Canadians that are subsequently referred by the Commission. As such, it is difficult to anticipate the number, nature, or degree of complexity of cases that could be referred to it at any given time. While this has no impact on Canadians' access to justice as cases continue to be managed actively, it has an impact on internal planning and resource management capacity.

It is equally difficult for the Tribunal to anticipate the number of cases that will be subject to judicial review or that could remain in abeyance pending courts decisions. In effect, all Tribunal decisions may be subject to judicial review in the Federal Court at the request of any of the parties to the Tribunal proceeding, and the resulting Federal Court judgments are appealable (without leave) to the Federal Court of Appeal. It can therefore take several years for judicial review proceedings to be decided with absolute finality. The judicial review process may at times legitimately result in certain cases remaining in abeyance for periods that extend beyond the parameters of the performance reporting cycle. In some instances, the final result can entail the remittance of the case back to the Tribunal for redetermination.

As part of its risk mitigation strategy, the Tribunal continued to closely monitor the intake of complaints in light of existing and anticipated legislative changes and assess how it affects the workload. Proactive case management and case assignment to Members continued to be managed in line with available resources. The resolution of complaints through mediated approaches and on-going enhancement of case management processes continued to result in high settlement rates and to provide access to justice. This is in keeping with our raison d'être as an Administrative Tribunal that is designed to be more expeditious and accessible, and less formal than the courts. Consultation with Members and their exchange of best practices resulted in recommendations for certain amendments in standard letters and forms and led to the update of the *Guide to Understanding the Canadian Human Rights Tribunal*. Updates of the registry manual were initiated and will continue as internal management procedures are further streamlined.

Adequate resources to conduct timely mediations/hearings

The risk of inadequate resources to conduct timely mediations and hearings was reduced significantly. By October 2014, the Tribunal comprised 11 Members (Chairperson, Vice-Chair, one full-time and eight part-time Members). Existing and new Members were provided the necessary tools and training opportunities to enrich their ability to pursue effective, efficient, and fair hearings.

Corporate Management

The risk of on-going pressures, competing demands and limited resources in corporate management and Internal Services remained. The consolidation of the CHRT corporate services into the newly created ATSSC brought some start-up challenges but is expected to bring about opportunities that continue to evolve. Phase one of the transition began on November 1, 2014 with the consolidation of internal resources and the re-designation of CHRT Registry and legal Services as the CHRT Secretariat of ATSSC. The next phase of transition is expected to improve planning for more effective and efficient internal operations.

Actual Expenditures

Budgetary Financial Resources (dollars)[1]

2014–15 Main Estimates	2014–15 Planned Spending	2014–15 Total Authorities Available for Use	2014–15 Actual Spending (authorities used)	Difference (actual minus planned)
4,532,525	4,532,525	2,478,673	2,468,673	(2,063,852)

Human Resources (Full-Time Equivalents [FTEs])

2014–15 Planned	2014–15 Actual[2]	2014–15 Difference (actual minus planned)
24.5	14.29	(10.21)

Part-Time Governor-in-Council Appointees

2014–15 Planned	2014–15 Actual[3]	2014–15 Difference (actual minus planned)
9	6.42	(2.58)

[1] 2014-15 Total Authorities Available for Use and Actual Spending columns reflect the April 1-October 31, 2014 period.

[2] 2014-15 Actual column reflects the April 1-October 31, 2014 period.

[3] 2014-15 Actual column reflects the April 1-October 31, 2014 period.

Budgetary Performance Summary for Strategic Outcome(s) and Program(s) (dollars)[1]

Strategic Outcome(s), Program(s) and Internal Services	2014–15 Main Estimates	2014–15 Planned Spending	2015–16 Planned Spending	2016–17 Planned Spending	2014–15 Total Authorities Available for Use	2014–15 Actual Spending (authorities used)	2013–14 Actual Spending (authorities used)	2012–13 Actual Spending (authorities used)
Strategic Outcome: 1. Effective resolution of human rights complaints in federally regulated sectors under the CHRA and of applications under the EEA								
1.1 Hearing and mediation of complaints before the Tribunal	2,589,784	2,589,784	0	0	1,367,848	1,362,055	2,098,767	1,971,469
Subtotal	2,589,784	2,589,784	0	0	1,367,848	1,362,055	2,098,767	1,971,469
Internal Services Subtotal	1,942,741	1,942,741	0	0	1,110,825	1,106,618	2,331,658	2,248,140
Total	4,532,525	4,532,525	0	0	2,478,673	2,468,673	4,430,426	4,219,609

CHRT's resources were transferred to a third-party service provider effective November 1, 2014. The 2014-15 total authorities available for use and actual spending in the table above represent seven months of operation from April 1 to October 31, 2014.

Alignment of Spending With the Whole-of-Government Framework

Alignment of 2014–15 Actual Spending With the Whole-of-Government Framework[v] (dollars)

Strategic Outcome	Program	Spending Area	Government of Canada Outcome	2014–15 Actual Spending[2]
Effective resolution of human rights complaints in federally regulated sectors under the CHRA and of applications under the EEA	Hearing and mediation of complaints before the Tribunal	Social Affairs	A diverse society that promotes linguistic duality and social inclusion	1,362,055

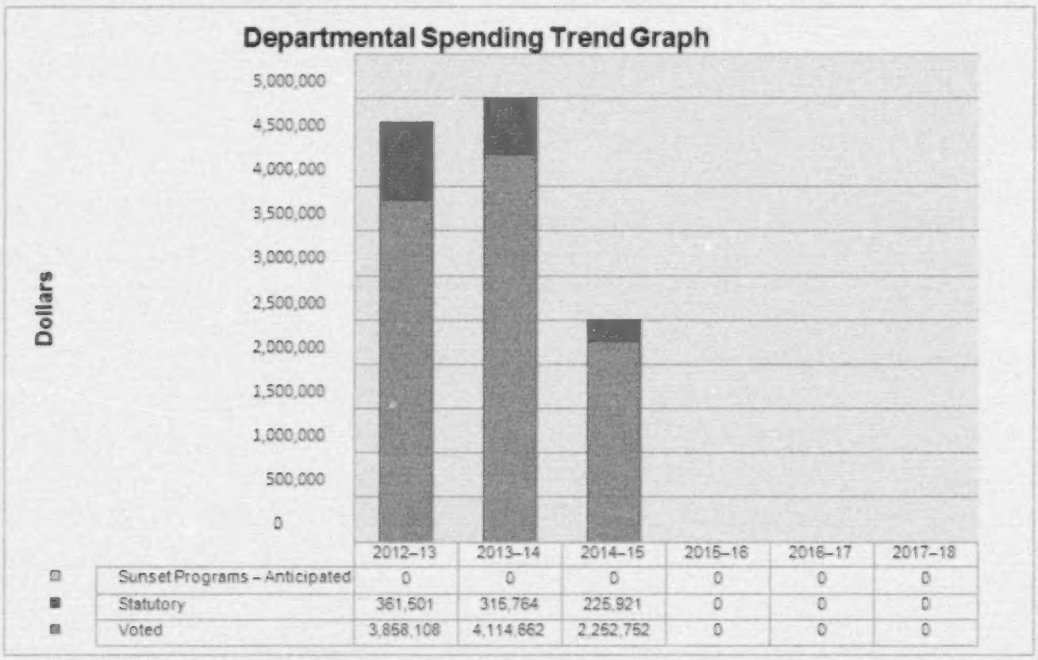
[1] *2014-15 Total Authorities Available for Use* and *Actual Spending* columns reflect the April 1-October 31, 2014 period

[2] *2014-15 Actual Spending* column reflects the April 1-October 31, 2014 period.

Total Spending by Spending Area (dollars)[1]

Spending Area	Total Planned Spending	Total Actual Spending[2]
Economic affairs	N/A	N/A
Social affairs	2,589,784	1,362,055
International affairs	N/A	N/A
Government affairs	N/A	N/A

Departmental Spending Trend



The fluctuations in spending and planned spending since 2012-13 can be explained by the following events:

1. Planned spending remained constant, while authorities include the carry forward of operating budgets, salary amounts for payments in lieu of severance due and allocations received for wage and salary increases from collective agreements that took effect in 2013–14.

[1] *2014-15 Actual Spending* column reflects the April 1-October 31, 2014 period.

[2] The total actual spending is up to and including October 31, 2014. The free balance of the appropriations was transferred to the ATSSC on November 1, 2014.

2. The slight increase in spending in 2013–2014, compared to 2012-13 is mainly due to the increased operating and maintenance (O&M) expenditures for the core program. In fiscal year 2013–2014, per diem expenditures were $693,591 compared to $439,400 for fiscal year 2012–2013; travel costs increased by $80,000 and expenditures for translation, transcription services and rentals of facilities increased by $53,000. The cost for human resources was slightly less than last fiscal year due to vacancies of key positions within the organization such as the Chairperson's position.
3. The Tribunal's actual spending was $2.2 million in 2014–15, a decrease of 45% compared to the previous year. The decrease was due to the Tribunal transferring its human and financial resources to the Administrative Tribunals Support Service of Canada as of November 1, 2014.

Expenditures by Vote

For information on CHRT's organizational voted and statutory expenditures, consult the *Public Accounts of Canada 2015*,[vi] which is available on the Public Works and Government Services Canada website.[vii]

Section II: Analysis of Program by Strategic Outcome

Strategic Outcome: Effective resolution of human rights complaints in federally regulated sectors under the CHRA and of applications under the EEA.

Performance Measurement

Performance Indicators	Targets	Actual Results
Number of complaints resolved as a percent of complaints received	70%	90%

Program 1.1:
Hearing and mediation of complaints before the Tribunal

Description

As a key mechanism of human rights protection in Canada, the Tribunal gives effect to the Canadian ideals of pluralism, equity, diversity and social inclusion. It provides a forum where human rights complaints can be scrutinized and resolved, and provides definitive interpretations on important issues of discrimination. The primary result of the Tribunal's program is that complainants can air their grievances and achieve closure in a respectful, impartial forum, while respondents have the opportunity to test the allegations made against them. Parties to a proceeding have access to a case resolution process that is efficient, fair and equitable and that delivers meaningful results. In the long term, Tribunal decisions create meaningful legal precedents for use by employers, service providers and Canadians at large.

Budgetary Financial Resources (dollars)[1]

2014–15 Main Estimates	2014–15 Planned Spending	2014–15 Total Authorities Available for Use	2014–15 Actual Spending (authorities used)	2014–15 Difference (actual minus planned)
2,589,784	2,589,784	1,367,848	1,362,055	(1,227,729)

Human Resources (FTEs])

2014–15 Planned	2014–15 Actual[2]	2014–15 Difference (actual minus planned)
13	7.58	(5.42)

Part-time Governor-in-Council Appointees

2014–15 Planned	2014–15 Actual[3]	2014–15 Difference (actual minus planned)
9	6.42	(2.58)

[1] *2014-15 Total Authorities Available for Use* and *Actual Spending* columns reflect the April 1-October 31, 2014 period.

[2] *2014-15 Actual* column reflects the April 1-October 31, 2014 period.

[3] *2014-15 Actual* column reflects the April 1-October 31, 2014 period.

Performance Results

Expected Results	Performance Indicators	Targets	Actual Results
Parties to a proceeding have access to a case resolution process that is efficient, fair and equitable and that delivers meaningful results for Canadians	Percent of case processes initiated within 10 days of referral of the complaint file	90%	98%
	Percent of cases resolved within 18 months of the referral of a complaint file	80%	71%
	Percent of decisions rendered within 4 months of the close of the hearing	80%	17%
	Percent of rulings rendered within 4 months of the close of the submissions	80%	77%
	Percent of cases that commenced a hearing within 12 months of receiving the complaint file	70%	Note: this indicator is being revisited.
	Percent of cases involving mediation successfully resolved without a hearing	Percentage achieved*	47%

*No target set as mediation is voluntary and requires the consent of both parties. The Tribunal invites parties to consider mediation as an alternative to proceeding to a hearing.

Performance Analysis and Lessons Learned

- Continued to conduct mediations and hearings, issue rulings and decisions, and provide access to justice for Canadians through an expedited complaint resolution process. This expedited process involves intensive prehearing case management in an attempt to narrow the live issues in the litigation and thereby abbreviate the hearings by focusing on facts in dispute.

- Continued to actively monitor its caseload to assess resource levels going forward. The purpose of this activity is three-fold: to collect and analyze performance indicator data; to assess performance against stated targets and report this information in its annual Departmental Performance Report to Parliament; and to make informed adjustments and decisions related to our program operations.

- Updated its existi g communication tools describing Tribunal processes and procedures, in order to clarify its procedures and make them accessible to all Canadians.

Overall Tribunal's performance from April to October 2014 was on track when comparing the number of complaints resolved as a percent of complaints received. Fifty-two (52) complaints referred during or prior to April 1- October 31, 2014 were resolved. This represented a 90% success rate when compared to 58 new complaints received during the same timeframe. (Note than by fiscal year-end, 94 complaints were resolved and 84 new complaints were received). Fifty-seven (57) of the 58 (98%) of cases received during the April to October period were processed within 10 days of receipt of the complaint file. Thirty-seven (37) of 52 cases (71%) were resolved within 18 months from the referral of the complaint file to the Tribunal. This indicates an improvement from last fiscal year, but remains below our self-imposed target (80%). Delays attributable to parties' ability to respond on a timely basis continue to be an issue. Self- represented complainants continue to require accommodation as they try to navigate their way through the quasi-judicial process. In some cases, complainants find it difficult to define the issues or meet target dates for submitting the particulars of their case. Respondents, on the other hand, cannot generally be expected to commit to a position and make full disclosure in response, until they know the exact nature of the case they are facing. Moreover, in a few cases, respondents are also requesting multiple extensions citing their lack of internal resources to meet target dates for disclosure.

A total of six decisions were released within the reporting period, one of which met the self- imposed target of four months from the close of the hearing. Thirteen (13) rulings were released, 10 of which were released within four months from the close of submissions. In some cases, delays have to do with the complex nature of the case or the voluminous evidence to review. Of the 10 cases that went to hearing during the

reporting period, seven were carried over from earlier years and three were new this fiscal year. Sixteen (16) out of 34 cases that went to mediation were successfully resolved without a hearing.

Of particular note are other indicators that reflect the significant efforts Members are dedicating to ensuring fair access to justice. A total of 98 case management conference calls were held, which (i) play an invaluable role in explaining the process to parties (especially self-represented ones); (ii) help identify areas of common ground; (iii) resolve procedural disputes; and (iv) contribute to reducing the number of hearing days.

Improvements have been made but continued need for attention is required in regular data monitoring and reporting to allow for ongoing analysis of patterns and trends. The CHRT, like other organizations, continues to face changes that are outside its control at times. Despite uncertainties related to external entities, best planning, monitoring and reporting efforts must continue to focus on the delivery of the core mandate: complaint resolution.

Caution is warranted in drawing direct conclusions as the seven-month reporting period does not reflect the full performance story by fiscal year-end. Mediations and case management conference calls remain as key contributors to the Tribunal's delivery of access to justice.

Internal Services

Description

Internal Services are groups of related activities and resources that are administered to support the needs of programs and other corporate obligations of an organization. These groups are Management and Oversight Services, Communications Services, Legal Services, Human Resources Management Services, Financial Management Services, Information Management Services, Information Technology Services, Real Property Services, Materiel Services, Acquisition Services, and Travel and Other Administrative Services. Internal Services include only those activities and resources that apply across an organization and not those provided to a specific program.

Budgetary Financial Resources (dollars) [1]

2014–15 Main Estimates	2014–15 Planned Spending	2014–15 Total Authorities Available for Use	2014–15 Actual Spending (authorities used)	2014–15 Difference (actual minus planned)
1,942,741	1,942,741	1,110,825	1,106,618	(836,123)

Human Resources (FTEs)

2014–15 Planned	2014–15 Actual[2]	2014–15 Difference (actual minus planned)
11.5	6.71	(4.79)

Performance Analysis and Lessons Learned

As explained in Section I of this Report, under the 4th organizational priority that relates to Internal Services, the Tribunal's plans and priorities for Internal Services were overtaken by the planning and implementation of activities in support of the consolidation of CHRT's public administration personnel and assets into the new ATSSC. This consolidation, enacted through budget legislation, forms an integral part of the broader government agenda and fits well with the CHRT's plan to seek effective and efficient internal service delivery.

The Acting Chair of the CHRT and senior staff worked closely with the Steering Committee, led by the Treasury Board of Canada Secretariat, as well as with the ATSSC implementation team at Justice Canada, to ensure that the new organization will meet the needs of CHRT, the parties appearing before it, as well as its other stakeholders. Working groups drawn from across the constituent tribunal organizations collaborated to develop appropriate policy frameworks and delegation instruments (e.g. financial and human resources authorities) and to address transition issues linked to the creation of a new government organization.

Fundamental guiding principles throughout this period focused on ensuring a seamless transition whereby service to Canadians continued without interruption, and respect for and well-being of staff remained a priority.

[1] 2014-15 Total Authorities Available for Use and Actual Spending columns reflect the April 1-October 31, 2014period.

[2] *2014-15 Actual* column reflects the April 1-October 31, 2014 period.

The smooth transfer of staff, as well as other accomplishments leading up to November 1, 2014, is a true testimony to the success of this initiative. Collaborative efforts between the Tribunal (the CHRT Chairperson and Tribunal Members), the CHRT Secretariat (the Executive Director, Registry and Legal Teams) and ATSSC Corporate Services continue to aim for the provision of more effective and efficient support services that are needed by the Tribunal to exercise its powers and perform its duties and functions in accordance with the rules that apply to its work.

Section III: Supplementary Information

Financial Statements Highlights

Condensed Statement of Operations (unaudited)
For the 7-Month Period Ended October 31, 2014
(dollars)

Financial Information	2014–15 Planned Results	2014–15 Actual	2013–14 Actual	Difference (2014–15 actual minus 2014–15 planned)	Difference (2014–15 actual minus 2013–14 actual)
Total expenses	5,903,823	2,478,673	5,526,840	(3,425,150)	(3,048,167)
Total revenues					
Net cost of operations before government funding and transfers	5,903,823	2,478,673	5,526,840	(3,425,150)	(3,048,167)

In terms of actual expenditures, the net cost of operations (before government funding at year end) decreased by $3 million compared to the previous year due to the Tribunal transferring its human and financial resources to the Administrative Tribunals Support Service of Canada as of November 1st 2014.

Condensed Statement of Financial Position (unaudited)
As at October 31, 2014
(dollars)

Financial Information	2014–15	2013–14	Difference (2014–15 minus 2013–14)
Total net liabilities	766,813	662,786	104,024
Total net financial assets	526,931	441,824	85,107
Departmental net debt	239,882	220,963	18,919
Total non-financial assets	3,776	5,053	(1,277)
Departmental net financial position	(236,106)	(215,909)	(20,197)

Total liabilities were $767 thousands at the end of 2014–15, an increase of $104 thousands (less than 16 percent) over the previous year's total liabilities. The total financial assets were $527 thousands at the end of 2014-15, an increase of $85 thousands compared to the previous year's total financial assets.

Financial Statements

The CHRT's financial statements are available on the CHRT's website[viii].

Supplementary Information Tables

The supplementary information table listed in the *2014–15 Departmental Performance Report* is available on the CHRT's website[ix].

- Departmental Sustainable Development Strategy

Tax Expenditures and Evaluations

The tax system can be used to achieve public policy objectives through the application of special measures such as low tax rates, exemptions, deductions, deferrals and credits. The Department of Finance Canada publishes cost estimates and projections for these measures annually in the Tax Expenditures and Evaluations[x] publication. The tax measures presented in the Tax Expenditures and Evaluations publication are the responsibility of the Minister of Finance.

Section IV: Organizational Contact Information

Canadian Human Rights Tribunal Secretariat
160 Elgin Street, 11th Floor
Ottawa, Ontario
K1A 1J4

Telephone: 613-995-1707
Facsimile: 613-995-3484

Email: registrar-greffier@chrt-tcdp.gc.ca
Website: chrt-tcdp.gc.ca

Appendix: Definitions

appropriation (*crédit*): Any authority of Parliament to pay money out of the Consolidated Revenue Fund.

budgetary expenditures (*dépenses budgétaires*): Includes operating and capital expenditures; transfer payments to other levels of government, organizations or individuals; and payments to Crown corporations.

Departmental Performance Report (*rapport ministériel sur le rendement*): Reports on an appropriated organization's actual accomplishments against the plans, priorities and expected results set out in the corresponding Report on Plans and Priorities. These reports are tabled in Parliament in the fall.

full-time equivalent (*équivalent temps plein*): Is a measure of the extent to which an employee represents a full person-year charge against a departmental budget. Full-time equivalents are calculated as a ratio of assigned hours of work to scheduled hours of work. Scheduled hours of work are set out in collective agreements.

Government of Canada outcomes (*résultats du gouvernement du Canada*): A set of 16 high-level objectives defined for the government as a whole, grouped in four spending areas: economic affairs, social affairs, international affairs and government affairs.

Management, Resources and Results Structure (*Structure de la gestion, des ressources et des résultats*): A comprehensive framework that consists of an organization's inventory of programs, resources, results, performance indicators and governance information. Programs and results are depicted in their hierarchical relationship to each other and to the Strategic Outcome(s) to which they contribute. The Management, Resources and Results Structure is developed from the Program Alignment Architecture.

non-budgetary expenditures (*dépenses non budgétaires*): Includes net outlays and receipts related to loans, investments and advances, which change the composition of the financial assets of the Government of Canada.

performance (*rendement*): What an organization did with its resources to achieve its results, how well those results compare to what the organization intended to achieve and how well lessons learned have been identified.

performance indicator (*indicateur de rendement*): A qualitative or quantitative means of measuring an output or outcome, with the intention of gauging the performance of an organization, program, policy or initiative respecting expected results.

performance reporting (*production de rapports sur le rendement*): The process of communicating evidence-based performance information. Performance reporting supports decision making, accountability and transparency.

planned spending (*dépenses prévues*): For Reports on Plans and Priorities (RPPs) and Departmental Performance Reports (DPRs), planned spending refers to those amounts that receive Treasury Board approval by February 1. Therefore, planned spending may include amounts incremental to planned expenditures presented in the Main Estimates.

A department is expected to be aware of the authorities that it has sought and received. The determination of planned spending is a departmental responsibility, and departments must be able to defend the expenditure and accrual numbers presented in their RPPs and DPRs.

plan (*plan*): The articulation of strategic choices, which provides information on how an organization intends to achieve its priorities and associated results. Generally a plan will explain the logic behind the strategies chosen and tend to focus on actions that lead up to the expected result.

priorities (*priorité*): Plans or projects that an organization has chosen to focus and report on during the planning period. Priorities represent the things that are most important or what must be done first to support the achievement of the desired Strategic Outcome(s).

program (*programme*): A group of related resource inputs and activities that are managed to meet specific needs and to achieve intended results and that are treated as a budgetary unit.

Program Alignment Architecture (*architecture d'alignement des programmes*): A structured inventory of an organization's programs depicting the hierarchical relationship between programs and the Strategic Outcome(s) to which they contribute.

Report on Plans and Priorities (*rapport sur les plans et les priorités*): Provides information on the plans and expected performance of appropriated organizations over a three-year period. These reports are tabled in Parliament each spring.

result (*résultat*): An external consequence attributed, in part, to an organization, policy, program or initiative. Results are not within the control of a single organization, policy, program or initiative; instead they are within the area of the organization's influence.

statutory expenditures (*dépenses législatives*): Expenditures that Parliament has approved through legislation other than appropriation acts. The legislation sets out the purpose of the expenditures and the terms and conditions under which they may be made.

Strategic Outcome (*résultat stratégique*): A long-term and enduring benefit to Canadians that is linked to the organization's mandate, vision and core functions.

sunset program (*programme temporisé*): A time-limited program that does not have an ongoing funding and policy authority. When the program is set to expire, a decision must be made whether to continue the program. In the case of a renewal, the decision specifies the scope, funding level and duration.

target (*cible*): A measurable performance or success level that an organization, program or initiative plans to achieve within a specified time period. Targets can be either quantitative or qualitative.

voted expenditures (*dépenses votées*): Expenditures that Parliament approves annually through an Appropriation Act. The Vote wording becomes the governing conditions under which these expenditures may be made.

whole-of-government framework (*cadre pangouvernemental*): Maps the financial contributions of federal organizations receiving appropriations by aligning their Programs to a set of 16 government-wide, high-level outcome areas, grouped under four spending areas.

Endnotes

i. ATSSC website, http://www.canada.ca/en/administrative-tribunals-support-service/index.html
ii. *Canadian Human Rights Act*, http://laws-lois.justice.gc.ca/eng/acts/H-6/
iii. *Employment Equity Act*, http://laws-lois.justice.gc.ca/eng/acts/E-5.401/
iv. *Guide to Understanding the Canadian Human Rights Tribunal*, http://www.chrt-tcdp.gc.ca/NS/about- apropos/guide/guide-eng.asp
v. Whole-of-government framework, http://www.tbs-sct.gc.ca/ppg-cpr/frame-cadre-eng.aspx
vi. *Public Accounts of Canada 2015*, http://www.tpsgc-pwgsc.gc.ca/recgen/cpc-pac/index-eng.html
vii. Public Works and Government Services Canada website, http://www.tpsgc-pwgsc.gc.ca/recgen/cpc-pac/index- eng.html
viii. CHRT's Financial Statements, http://www.chrt-tcdp.gc.ca/NS/reports-rapports/fr-rf-eng.asp
ix. CHRT's Supplementary Information Table, http://www.chrt-tcdp.gc.ca/NS/reports-rapports/perf-rend-eng.asp
x. Government of Canada Tax Expenditures, http://www.fin.gc.ca/purl/taxexp-eng.asp
xi. CHRT website, http://www.chrt-tcdp.gc.ca/NS/index-eng.asp